

HOUSE BILL 128

By Howell

AN ACT to amend Tennessee Code Annotated, Title 66,
Chapter 27, relative to dedicatory instruments.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 66-27-602, is amended by adding the following as a new subsection (d):

This section applies to dedicatory instruments:

- (1) Created on or after July 1, 2017; or
- (2) Amended on or after July 1, 2017.

SECTION 2. Tennessee Code Annotated, Section 66-27-603, is amended by deleting the section in its entirety and substituting instead the following:

(a) Except as provided in subsection (c), a homeowners' association shall not adopt or enforce provisions in a dedicatory instrument that prohibit, or have the effect of prohibiting, a property owner from posting signage intended to protect the health or safety of the property owner, residents of the association, or other persons.

(b) For this section to apply, signage must warn or inform persons of security, safety, or health precautions taken by the property owner or of potentially dangerous conditions existing on the property, whether concealed or open and obvious. The signage may:

- (1) Notify persons of the presence of security alarms or camera systems;
- (2) Notify persons of certain health precautions the property owner or resident is taking or requesting visitors take;

(3) Prohibit trespassing, swimming, fishing, hunting, or dumping on the property; or

(4) Otherwise provide notice to persons of specific, potentially dangerous conditions on the property.

(c) A homeowners' association may adopt or enforce reasonable rules and regulations regarding the placement and manner for the display of signage on a property owner's property.

(d) This section does not alter, reduce, or eliminate any civil or criminal liability that a property owner may have for injuries arising on the owner's property.

(e) This section applies to dedicatory instruments entered into before, on, or after July 1, 2021.

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it.